

UNITED STATES DISTRICT COURT  
CENTRAL DISTRICT OF CALIFORNIA

**CIVIL MINUTES – GENERAL**

**Case No.:** 5:23-cv-02245-RGK-BFM **Date:** August 22, 2024

**Title:** Jeff Macy v. California Highway Patrol Running Springs, et al.

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**Present:** The Honorable Brianna Fuller Mircheff, United States Magistrate Judge

Christianna Howard  
Deputy Clerk

N/A  
Court Reporter / Recorder

Attorneys Present for Plaintiff:  
N/A

Attorneys Present for Defendants:  
N/A

**Proceedings: (In Chambers) Order Re: Discovery Requests Filed  
with Court (ECF 40, 41)**

On August 21, 2024, Plaintiff filed documents with the Court that appear to be discovery requests (Interrogatories) to be served on Defendants Bates and O'Brien. (ECF 40, 41.) This filing comes one week after the Court issued an order instructing Plaintiff not to file discovery responses with the Court.

The Court again reminds Plaintiff that discovery responses and requests (like these Interrogatories) are not filed with the Court. The Court only gets involved in the process of discovery if there is a dispute that the parties cannot resolve. It does not appear that Plaintiff wants the Court to take any action on these documents or resolve any dispute. So, he does not need to file these discovery requests or any other item relating to discovery with the Court right now—or ever—unless there is a discovery dispute and a party intends to file a motion, or unless the discovery will be used in the case (i.e., if it is an attachment to a motion or an exhibit at trial). Fed. R. Civ. P. 5(d)(1); C.D. Local Rule 26-2.

And again, this case has not progressed to the point where making discovery requests would be proper. Under Rule 26 of the Federal Rules of Civil

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Procedure, discovery may not be sought until the parties have conferred as required by Rule 26(f). Fed. R. Civ. P. 26(d)(1). No report of a Rule 26(f) conference has yet been filed.

Rule 26(f) requires the parties to confer “as soon as practicable.” As it has not yet happened, the Court now orders the parties to conduct the conference required by Rule 26 and submit a report of that conference **no later than September 4, 2024**.

The Court Clerk is directed to strike the interrogatories (ECF 40, 41) from the docket.

**IT IS SO ORDERED.**

cc: Jeff Macy, pro se  
Counsel of Record

Initials of Preparer: ch